

FILED

**United States Court of Appeals
Tenth Circuit**

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

December 11, 2013

**Elisabeth A. Shumaker
Clerk of Court**

JOHNSON & JOHNSON; ETHICON,
INC.,

Petitioners,

v.

No. 13-611
(D.C. No. 5:13-CV-00836-L)

KELLI GOOCH; ARLENE BRUNSON;
PEGGY ALLEN; LESLIE ALLEN;
DEBRA ANDERSON; THOMAS
ANDERSON; GWEN ANDRESHAK;
BEVERLEY ARMOUR; KARINA
ASUNCION; PAMELA ATKINSON;
LAURA BABB; STEPHANIE BANKS;
MARY BARAJAS; VICTORIA
BARCLAY; BREND BARTRAM;
MARJEAN BAXLEY; JUDITH
BAXTER; CINDY BEHLER; THELMA
BENDA; STEFANI BENDER; TERESA
BENDER; MARY BLAIR; JENNIFER
BOCK; BARBARA LYNN BOWMAN;
LEAH BRADFORD; LARRY
BRADFORD; GLORIA BRADFORD;
CRYSTAL BRANNON; JENNIE
BRANTLEY; DELORES BROCK;
SANDRA BROWN; JUDY BROWN;
ANDREA BROWN; STEPHANIE
BROWN; BRENDA BROWN; PAULA
CAMPBELL; GAYLE BUCK; POLLY
BUEBLER; JOY BULLINGTON; LINDA
BULLOCK; RAYMOND C. BULLOCK;
MARYANN BURKHOLDER; SHERRY
BURRICHTER; MARTHA BYARS;
MARY CAMACHO; GLYNN
CAMBELL; PHYLLIS CAMPBELL;
ARLINE CANNATA; EUNICE CANTU;
JO ANN CAPUA; YVONNE
CARRABINE; LORENA CARTAGENA;

ANGELLA CARTER; SHUNTEL
CATER; JOYCE CARVALHO; MELISSA
CHAVEZ; MICHELE COLBURN;
MARGARET COLCORD; BELINDA
COLLINS; PEGGY COOPER; GARY J.
COOPER; ELIZABETH COOPER;
ANITA COOPER; PATRICIA
COPELAND; TRACI COVEY; DONNA
COVINGTON; SONIA COX; ROSALIE
CRACCHIOLO; STEVEN METEJA;
CAROLYN CRAFT; ANNA CREEK;
BRANDI CURRY; DEBORAH CURTIS;
MARIE CUSHENBERRY; RITA DAIRY;
DONNA DALTON,

Respondents.

ORDER

Before **HARTZ, O'BRIEN**, and **BACHARACH**, Circuit Judges.

This matter is before the court on the Defendants-Petitioners Johnson & Johnson and Ethicon, Inc.'s Petition for Permission to Appeal. The plaintiffs filed a response opposing the petition.

The defendants filed a motion seeking leave to file a reply brief, which included a proposed reply brief. The motion to file a reply brief is granted. The reply brief shall be filed as of the date it was received.

Upon consideration of the pleadings and the applicable law, the petition for permission to appeal is GRANTED.

Within 14 days of the date of this order, the petitioner shall pay the required appellate filing fees to the district court. *See* Fed. R. App. P. 5(d)(1). Once the fees have

been paid, the clerk of the district court shall notify this court. At that time, a new appeal number will be assigned, and the appeal shall be entered on this court's docket. *See id.* 5(d)(3). The date of this order shall be deemed the date for filing the notice of appeal. *See id.* 5(d)(2).

The parties will be advised of scheduling matters once the new appeal has been opened.

Entered for the Court

A handwritten signature in cursive script, reading "Elisabeth A. Shumaker", followed by a horizontal flourish.

ELISABETH A. SHUMAKER, Clerk